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PATENT
Attorney Docket No.: VOSS1110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
George Breier et al.

Application No.: 09/445,201

Filed: December 2, 1999

For: REGULATORY SEQUENCES
CAPABLE OF CONFERRING
EXPRESSION OF A HETEROLOGOUS
DNA SEQUENCE IN ENDOTHELIAL
CELLS IN VIVO AND USES
THEREOF

) Group Art Unit: 1633

) Examiner: C. Drabik

) CERTIFICATION UNDER 37 CFR § 1.8

) I hereby certify that the documents referred to as enclosed herein
) are being deposited with the United States Postal Service as first
) class mail on this date **March 15, 2001**, in an envelope
) addressed to: Commissioner for Patents, Washington, D.C. 20231

) Lucille M. Begalla

) (Name of person mailing paper)

) Lucille M. Begalla

) Signature

Commissioner for Patents
Washington D.C., 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Requirement for Restriction mailed February 16, 2001,
Applicant provisionally elects, with traverse, Group I, consisting of Claims 1-11, 13, 14,
17-24, 34 and 35, drawn to a recombinant DNA molecule or vector comprising the first
regulatory sequence of the Vascular Endothelial Growth factor (VEGF) receptor-2 (Flk-
1) gene and heterologous sequences, and a method of inhibiting a vascular disease.

Applicant respectfully requests rejoinder of Groups I and III claims, which are
linked to define a single inventive concept, *i.e.*, a DNA molecule or vector and use
thereof in a method for producing a pharmaceutical composition. Applicant submits that
it would not place an undue burden on the U.S. Patent and Trademark Office to perform a
search of both Groups I and III, claims 1-11, 13, 14, 17-24, 34, 35, 36, 37 and 39 at one
time.

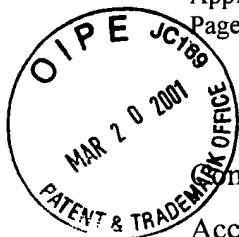
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No fee is believed to be due regarding the filing of this paper. However, the Commissioner is authorized to charge any fees or credits believed to be due to Deposit Account No. 50-1355.

Respectfully submitted,

Lisa A. Haile, Ph.D.

Reg. No. 38,347

Customer Number 28213

Date 03/15/01

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